Tribal Participation In The TFW/FFR Agreement

Introduction

More than a decade ago, treaty tribes and other stakeholders in Washington's forest resources agreed to find common ground for responsible natural resource management instead of waging costly and lengthy battles in the courts to resolve their differences. The result was the unprecedented Timber/Fish/Wildlife (TFW) Agreement. Since then, the tribes and tribal organizations in Washington State have participated in the TFW Agreement, along with the timber industry, state government, and the environmental community.

A variety of factors – including the listings of several western Washington salmon stocks under the Endangered Species Act (ESA), ongoing statewide water quality degradation, and concern over the continued economic viability of the timber industry – brought TFW participants together in November 1996 to develop joint solutions to these problems. Federal and local governments participated with original TFW members in what is commonly referred to as the TFW "Forestry Module Negotiations," a significant component of Washington's statewide salmon recovery effort. The result was a plan to update forest practices rules called the Forests and Fish Report (FFR), which was completed in April of 1999, and later adopted by the Washington State Legislature.

The FFR is based on four goals:

- To provide compliance with the ESA for aquatic and riparian-dependent species on non-federal forest lands;
- To restore and maintain riparian habitat on non-federal forest lands to support a harvestable supply of fish;
- To meet the requirements of the federal Clean Water Act for water quality on non-federal forest lands; and
- To maintain the economic viability of the timber industry in the State of Washington.

Quileute tribal staff measure the width of a creek as part of a stream typing project. *Photo: D. Preston*

The six caucuses participating in FFR implementation are:

- The Federal Government Caucus represented by the National Oceanic and Atmospheric Administration (NOAA), Environmental Protection Agency (EPA), and U.S. Fish and Wildlife Service (USFWS);
- The Tribal Caucus represented by individual tribes and Indian nations in the State of Washington;
- The State Government Caucus represented by the Department of Natural Resources (DNR), Department of Ecology (DOE), Washington Department of Fish and Wildlife (WDFW), and Governor's office;
- The Local Government Caucus represented by the Washington Association of Counties and individual counties;
- The Conservation Caucus represented by the Washington Environmental Council, American Lands Alliance, Northwest Ecosystem Alliance, Pacific Rivers Council, Washington Forest Law Center and Washington Trout; and
- The Timber Landowner Caucus represented by the Washington Forest Protection Association, the Washington Farm Forestry Association, and individual timber companies and small landowners.

Tribal Participation In TFW/FFR Implementation

While there is not consensus among tribes on the entire Forests and Fish Report, there is consensus that the Adaptive Management Program component is critical to its success. Adaptive management is the process of evaluation and monitoring to constantly gauge the effectiveness of management practices and determine if changes are needed. This ranges from the use of Interdisciplinary (ID) Teams to properly implement the intent of the forest practices rules in complex site-specific situations, to conducting long-term effectiveness monitoring to establish whether the rules are meeting resource objectives.

The tribes were the lead authors on adaptive management permanent rule language that was unanimously supported by the other TFW caucuses. Tribes also agree that FFR can succeed only if the Washington Department of Natural Resources (DNR) vigorously enforces the forest practices rules and performs scientifically rigorous compliance monitoring. It is imperative that additional funding is appropriated to support these programs.

Tribal participation is a critical component of TFW and FFR implementation. The federal stakeholders continue to rely heavily on tribal technical information to gauge its success. The tribes offer a centuries-old tradition of resource stewardship, practice state-of-the-art technological innovation, and are strategically located to respond to the critical management needs in their local watersheds.

There are three distinct advantages to this process and structure. First, it provides a broad base of local participation for all parties, including each tribal government involved in the process. Second, it provides tribal and local governments with flexibility to address regional and political differences. Third, this process and structure is efficiently based without a top-heavy bureaucratic response that is costly and slow to react to environmental problems.

For the tribes, the primary factor in the success of TFW has always been the cooperative decision-making process. This consensus-based approach has empowered the tribes and acknowledged their management authority regarding forest practices management. The tribes have demonstrated their ability to establish and maintain a cooperative process for the management of forest resources while incorporating tribal concerns. As they have throughout the TFW process, participating tribes are utilizing the Northwest Indian Fisheries Commission for necessary technical expertise and to coordinate their work effectively and collaboratively.

Tribal involvement with the implementation of the FFR has evolved with the availability of federal funds to support those efforts. A tribal base program for evaluation of forest management impacts upon treaty-protected resources is furthering the development of tribal capacity in the areas of silviculture, geology, and hydrology to complement their fisheries expertise. Additionally, tribal programs require coordination, information management and access to technical expertise to support tribal efforts as co-managers.

The tribes continue to develop and implement a comprehensive work plan evaluating the forest management guidelines set forth in the FFR for adequacy in meeting tribal salmon recovery goals. They have developed a comprehensive communication network and continue to implement a coordinated tribal response to improve both the content and application of the FFR in watersheds throughout the State of Washington.

Case Studies

Following are a few examples of tribal activities as part of TFW/FFR implementation.

Quileute Tribe

As part of their TFW/FFR program, the Quileute Tribe worked to complete stream typing for the Bogachiel River watershed, a task that has already been completed for every other major watershed in the Quillayute River system. Stream typing is a system of identifying types of habitat for fish, water flows and obstacles to fish passage.

Tribes, as co-managers of the salmon resource, have surveyed thousands of miles of stream, inventorying fish habitat and identifying problem areas that can be fixed to improve conditions for salmon survival.

The Bogachiel river system drains 287 square miles on the Olympic Peninsula. “It was a huge data gap in our stream typing information. It’s important to the FFR agreement to fill these data gaps so we’re all working from the same page,” said Frank Geyer, Timber Fish Wildlife biologist for the Quileute Tribe. “Without this information, it’s very difficult to identify fish blocking problems or to prioritize those areas that need to be fixed,” added Kris Northcut, fisheries biologist for the tribe.

Each segment of stream is different, some wide and shallow, others swift and narrow. Crews measure the width of the stream, as well as the level of the stream during high water. They note pools and riffles, the different types of waters important to salmon and the wetland areas associated with the streams where young salmon like to grow and take refuge in high water. The amount of forest canopy is also recorded because it is important for maintaining the low water temperatures that salmon require.

The tribe submitted the finished surveys to the Washington Department of Natural Resources(DNR), which will add the information to its database.

Port Gamble S’Klallam Tribe

With the help of historical records and TFW/FFR funding, the Port Gamble S’Klallam Tribe is peering into the past to try and shape the future of forests along portions of Hood Canal.

Early land survey and timber cruise records – in some cases more than 140 years old – are being used to examine past forest conditions along rivers and streams on the eastern shores of Hood Canal.

The tribe is cataloging changes that have been made to the structure and composition of riparian forests in the area. The project is designed to get a better understanding of how to properly manage a forest and determine what type of restoration work can be done to help improve salmon habitat.

“When we talk about what forests look like today, it’s important that we consider what the forest once looked like and determine how and why it has changed,” said Ted Labbe, habitat biologist with the Port Gamble S’Klallam Tribe. Labbe is in the process of documenting the historical information. “Forests and streams are linked, and understanding how the forest has changed helps determine how we can repair degraded salmon habitat.”

Armed with the historical information, the tribe is seeking to recreate habitat that has been altered or lost over the past century. Past logging removed large fir and cedar, creating disturbance that favored red alder and salmonberry, and reduced riparian forest diversity. Since fir, cedar and other conifers provide many important habitat elements for salmon, the tribe is beginning a project to jump-start natural recovery by reintroducing conifers in riparian alder stands with little or no regeneration.

“The goal is to selectively re-establish patches of conifer, and shift the composition from just alder trees to a mixed forest,” Labbe said. “We don’t want to eliminate alder, because alder is still a very important component of the riparian forest, but we do want to bring back missing habitat components that help stabilize streambeds, create in-stream refuges for fish and sustain a richer, more diverse food web.”

Tulalip Tribes And Stillaguamish Tribe

At precisely 4:37 a.m., the first rays of sun penetrate the gloaming on Wheeler Mountain, overlooking the north fork of the Stillaguamish River. A crew of tribal biologists is already in place, hoping to sight a threatened seabird.

With ears busy filtering out the hundreds of ambient forest sounds and eyes straining for dark birds entering a dark forest, biologists from the Tulalip Tribes and the Stillaguamish Tribe are painstakingly documenting every encounter with the unique and rare marbled murrelet. For the next two hours, they will stare skyward in search of a robin-sized, football-shaped bird that can fly at speeds up to 90 miles per hour.

These surveys, funded through TFW/FFR are not only crucial to understanding the murrelet, but could have a significant impact on forest practices and salmon recovery in Washington. Washington's murrelet populations are listed as "threatened" under the federal Endangered Species Act and listed as threatened under state law in California, Oregon and Washington.

"Once we can prove that these birds occupy a given forest, that forest can be protected," said Jen Sevigny, a biologist with the Stillaguamish Tribe. Along with husband Mike Sevigny, a biologist with the Tulalip Tribes, Sevigny has tracked various bird species in six states. This time, their surveys are a race against the clock to preserve rapidly dwindling second-growth forest habitat. Since the Stillaguamish and Tulalip tribes share much usual and accustomed fishing, hunting and gathering territory, the partnership was ideal.

Because the bird relies on two distinct ecosystems for survival, the murrelet is a key indicator species. Any habitat disruption, whether on the coast or in the forest, can have catastrophic effects on the bird. "The murrelet shows us how interconnected our natural resources are, and how important protecting habitat is to wildlife. For example, if they result in watersheds being protected, these surveys will have direct benefit to salmon and other species as well," said Jen Sevigny. "Some of our best spawning habitat is in Deer Creek or Boulder River, places we are surveying for murrelets."

The tribes selected 10 sites to monitor within the Stillaguamish watershed and one site on the Tulalip reservation.

"We have to do on-the-ground surveys to really know where murrelets exist," said Mike Sevigny. "This could save a lot of acreage that represents prime habitat for a magnificent and threatened species."

Yakama Indian Nation

Like a doctor, Greg Morris collects exact details from his patients so he can find the right cure. But, instead of people, Morris' patients are the streams of the Yakama Indian Nation's traditional fishing area. A habitat biologist for the nation, Morris conducts stream habitat characterization studies on dozens of streams.

Morris looks deep into stream conditions, collecting data ranging from water temperature to insect populations. "If something like a forest fire or a road closure happens, you can come back and see how those events affect the creek. It's like a yearly check up for the streams," he said.

The study is helping forest managers see how their actions affect the lands they work in. "Timber managers can come back and see how their actions have helped or hurt," said Morris. "Without information being collected regularly, we have no basis to judge the success of forest practices."

Morris divides each creek into habitat cross-sections that are representative of their entire length. "By just taking a close look at a relatively small stretch, we are able to apply that data out over the entire stream," said Morris.

While focusing mostly on managed forestland, Morris is also studying some wilderness areas to determine how they differ from more altered commercial forests. "I try to look at both types of areas and make connections between forests that are and are not managed," said Morris.

"The more information we have about how streams and forests interact, the better decisions we can make about how we manage forests," said Morris.

For More Information

For more information about the natural resource management activities of the treaty Indian tribes in western Washington, contact the Northwest Indian Fisheries Commission, 6730 Martin Way E., Olympia, WA., 98516; or call (360) 438-1180. Visit the NWIFC home page at www.nwifc.org.